

Serial No.: 10/791,250

REMARKS

A. Status of Claims

Claims 2-21 are pending in the application. Claims 13-17 and 21 were allowed in the Action of May 18, 2005. In that action, the Examiner further indicated that claim 2, and claims 3-12 depending therefrom, would be allowable if rewritten in independent form. Claim 2 was rewritten in this manner in the Reply of May 23, 2005. Claim 18-20, which depend from allowed claim 13, were object to in the Action of May 18, 2005 due to an informality. The informality was corrected in the Reply of May 23, 2005. As such, it is believed that all claims have been allowed or placed in allowable form.

B. Election/Restriction

Claims 2-21 are now subject to an election requirement. The Examiner identifies the following patentably distinct inventions in the application:

Group I, claims 2-12 directed to a microdevice for forming a part of an integrated circuit; and

Group II, claims 13-21 directed to a method of fabricating a microdevice for an integrated circuit.

1. Election

Applicants hereby elects group 1, claims 2-12, with traverse.

2. Traverse

Applicants respectfully traverses the election requirement with respect to claims 2-21. Initially, it is pointed out that these claims have already been substantively examined. It follows that there is no extra burden in searching and examining the features of all the claims. Also, claims 2-21 have already been allowed or indicated as being allowable. As such, it is submitted that the claims are entitled to the full faith and credit of the earlier action. As a result, applicants respectfully request that all claims 1-43 remain under consideration.

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C. Conclusion

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned representative to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 18-0988, our Order No. H1710.

Respectfully submitted,

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